

FISCAL NOTE

Bill #: SB0228

Title: Revise election dates

**Primary
Sponsor:** Bill Glaser

Status: As introduced

Sponsor signature	Date	Dave Lewis, Budget Director	Date
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Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
Expenditures:		
General Fund	Indeterminable	Indeterminable
Revenue:		
General Fund	Indeterminable	Indeterminable
Net Impact on General Fund Balance:	Indeterminable	Indeterminable

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
X		Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget	X		Significant Long-Term Impacts

Fiscal Analysis

ASSUMPTIONS:

Secretary of State

1. The Secretary of State will have additional expenses in order to prepare for a tax election.
2. SB 228 requires that each taxing jurisdiction pays its share of the cost of holding a tax election.
3. The taxing jurisdiction of the State of Montana will have tax/fee issues that will appear on the ballot for a tax election, requiring the state to provide funding to the counties for holding the elections. (1-2-112, MCA)
4. Multiple jurisdictions will hold their election on the same date, thereby reducing the election costs to all jurisdictions.
5. SB 228 allows for multiple ways and a variety of dates to hold the tax election. Each factor influences the ability to determine the cost to the state.
6. SB 228 reduces the information required to be printed in the Voter Information Pamphlet(VIP), but still requires there to be a VIP for tax/fee questions. The Secretary of State can print a separate VIP.

(continued)

7. A 1997 survey of the counties showed the cost of holding a statewide election to be \$690,000. It is assumed that the cost will be far less than these amounts.
8. Because of these factors, there is no way to determine the cost to the state to hold a tax election.

Department of Justice

1. Under Sections 77 through 80 of the bill, the Attorney General will review all statewide tax measures referred by the Legislature or proposed by initiative petition. The Attorney General will be responsible for preparing statements of purpose, statements of implication, and fiscal statements for inclusion on the ballot, and for reviewing ballot forms.
2. The Attorney General will not be responsible for review of any local tax measures.
3. There will be several tax measures placed on the ballot each year. Each tax measure will require between 5 and 20 hours of attorney and staff time for review, initial preparation of statements, contact of interested parties, and final preparation of statements.
4. The Attorney General's duties will be performed by existing staff.

Office of Public Instruction

1. School districts must hold a tax election for increases in district property taxes for any purpose other than repayment of general obligation bonds. The tax increase is determined district-wide, not on a fund-by-fund basis.
2. School districts will contract with the county election administrator to run the tax election as required in Section 70.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

There will be an impact on county and local expenditures, but that amount is indeterminable. A tax election will likely require county election administrators to hire additional election staff, make changes to their computer software, and print longer ballots. Each of these, and others, will result in a greater expense to counties.

LONG-RANGE IMPACTS:

If the number of tax measures referred to the Attorney General proves to be substantial, additional part-time staff may be requested in future biennia to handle the increased workload.

TECHNICAL NOTES:

1. Tax elections for school districts are to be held on the first Tuesday or the second Friday in March. If the tax election is held on the second Friday, the school district could be holding two elections within a two-week period, one for election of trustees and a second for authority to impose taxes. (Section 68 and Section 117)
2. Section 67 states that the "school district clerk is the election administrator with regard to school elections other than tax elections." If the tax election and the trustee election are held on the same day, the school clerk administers the trustee election and the county election administrator is responsible for the tax election for the school district.
3. School districts are required to hold tax elections when requesting an increase in the district-wide levy for purposes other than repayment of general obligation debts. The proposed changes to Section 103 assume that school districts must vote on tax increases in the general fund budget separately from tax increases in the other budgeted funds of the district.
4. Section 103 requires school districts to hold elections on general fund budget authority and on tax increases to fund the general fund budget. These are two separate ballot questions.